



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

## NOTICE OF ALLOWANCE AND FEE(S) DUE

23696

7590

11/30/2010

QUALCOMM INCORPORATED  
5775 MOREHOUSE DR.  
SAN DIEGO, CA 92121

EXAMINER

SAFAIPOUR, BOBBAK

ART UNIT

PAPER NUMBER

2618

DATE MAILED: 11/30/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/650,564

08/27/2003

Messay Amerga

020673

8247

TITLE OF INVENTION: INTRA-FREQUENCY SEARCHING IN THE PRESENCE OF FREQUENCY GAPS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	02/28/2011

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to:** Mail **Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax** **(571)-273-2885**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

2366 7590 11/30/2010

**QUALCOMM INCORPORATED**  
**5775 MOREHOUSE DR.**  
**SAN DIEGO, CA 92121**

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/650,564 08/27/2003

Messay Amerga

020673

8247

TITLE OF INVENTION: INTRA-FREQUENCY SEARCHING IN THE PRESENCE OF FREQUENCY GAPS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	02/28/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
SAFAIPOUR, BOBBAK	2618	455-516000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_  
3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,564	08/27/2003	Messay Amerga	020673	8247
23696	7590	11/30/2010	EXAMINER	
QUALCOMM INCORPORATED 5775 MOREHOUSE DR. SAN DIEGO, CA 92121			SAFAIPOUR, BOBBAK	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 11/30/2010

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 697 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 697 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability****Application No.**

10/650,564

**Applicant(s)**

AMERGA, MESSAY

**Examiner**

BOBBAK SAFAIPOUR

**Art Unit**

2618

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/12/2010.
2. ☒ The allowed claim(s) is/are 1 and 3-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

/Bobbak Safaipour/  
Examiner, Art Unit 2618

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ramin Mobarhan, Reg. No. 50,182 on Friday, November 12, 2010.

The application has been amended as follows:

1. (Currently Amended) An apparatus, comprising:

a search scheduler for scheduling a search based at least in part on a duration of a serving cell transceiving gap defined for searching outside of a serving cell and for generating a frequency switch blocking signal to override opening the serving cell transceiving gap for searching outside of the serving cell; ~~and~~

a frequency controller for generating frequency switch commands, receiving the frequency switch blocking signal, and suppressing the generation of frequency switch commands when the frequency switch blocking signal is asserted; and

a gap manager for indicating when a frequency switch is to occur, and wherein the search scheduler schedules the search during a period of time without the frequency switch as indicated by the gap manager.

2. (Canceled).

3. (Original) The apparatus of claim 1, wherein the search scheduler comprises a timer, the expiration of which indicates a search is to be scheduled.
4. (Original) The apparatus of claim 3, wherein the search scheduler schedules a search without asserting the frequency switch blocking signal prior to the timer expiration.
5. (Original) The apparatus of claim 3, wherein the timer resets upon the completion of a scheduled search.
6. (Original) The apparatus of claim 3, wherein the search scheduler schedules a search and asserts the frequency switch blocking signal subsequent to the timer expiration.
7. (Original) The apparatus of claim 1, wherein the search scheduler asserts the frequency switch blocking signal during the scheduled search.
8. (Currently Amended) The apparatus of claim 1, [[2,]] wherein the search scheduler schedules a plurality of search types.
9. (Original) The apparatus of claim 8, wherein the search scheduler schedules one or more of the plurality of search types in response to the frequency switch indicator received from the gap manager.

10. (Original) The apparatus of claim 8, wherein the search scheduler comprises a plurality of timers corresponding to one or more of the plurality of search types, the expiration of each timer indicating a search of the respective search type is to be scheduled.

11. (Original) The apparatus of claim 10, wherein the search scheduler schedules a search corresponding to one of the plurality of search types and asserts the frequency switch blocking signal subsequent to the respective timer expiration.

12. (Original) The apparatus of claim 8, wherein the plurality of search types comprises one or more of a list search, a W-CDMA step one search, or a W-CDMA step two search.

13. (Currently Amended) A first Integrated Circuit (IC), responsive to a frequency switch signal generated in a second IC, the second IC comprising:

a search scheduler for scheduling a search based at least in part on a duration of a serving cell transceiving gap defined for searching outside of a serving cell and for generating a frequency switch blocking signal to override opening the serving cell transceiving gap for searching outside of the serving cell; **and**

a frequency controller for generating a frequency switch signal comprising frequency switch commands, receiving the frequency switch blocking signal, and suppressing the generation of frequency switch commands when the frequency switch blocking signal is asserted; and

a gap manager for indicating when a frequency switch is to occur, and wherein the search scheduler schedules the search during a period of time without the frequency switch as indicated by the gap manager,

the first IC comprising:

a frequency synthesizer to receive the frequency switch signal from the second IC and to generate an output signal, the frequency of the output signal changing from a first frequency to a second frequency in response to the frequency switch signal.

14. (Currently Amended) A wireless communication device, comprising:

a processor for

indicating when a frequency switch is to occur;

scheduling a search based at least in part on a duration of a serving cell transceiving gap defined for searching outside of a serving cell and during a period of time without the frequency switch;

generating a frequency switch blocking signal to override opening the serving cell transceiving gap for searching outside of the serving cell;

generating frequency switch commands; and

suppressing the generation of frequency switch commands when the frequency switch blocking signal is asserted.

15. (Original) The wireless communication device of claim 14, further comprising a frequency synthesizer to receive the frequency switch commands and to generate an output



signal, the frequency of the output signal changing from a first frequency to a second frequency in response to the frequency switch commands.

16. (Original) The wireless communication device of claim 14, further comprising a searcher for searching in accordance with the scheduled search and for indicating to the search scheduler when the scheduled search is complete.

17. (Currently Amended) A method of searching in the presence of frequency gaps, comprising:

indicating when a frequency switch is to occur;

scheduling a search based at least in part on a duration ~~during~~ of a serving cell transceiving gap defined for searching outside of a serving cell and during a period of time without the frequency switch; ~~and~~

generating a frequency switch blocking signal to override opening the serving cell transceiving gap for searching outside of the serving cell;

generating frequency switch commands; and

suppressing the generation of frequency ~~switches~~ switch commands when the frequency switch blocking signal is enabled ~~during the scheduled search to override opening the serving cell transceiving gap for searching outside of the serving cell.~~

18. (Original) The method of claim 17, further comprising:  
determining future frequency switches; and

wherein the search is scheduled during a time period in which no future frequency switches are determined.

19. (Original) The method of claim 18, further comprising:

timing the duration between searches; and

scheduling searches without suppressing frequency switches prior to the timed duration reaching a pre-determined maximum.

20. (Currently Amended) An apparatus, comprising:

means for indicating when a frequency switch is to occur;

means for scheduling a search based at least in part on a duration of a serving cell transceiving gap defined for searching outside of a serving cell and during a period of time without the frequency switch; ~~and~~

means for generating a frequency switch blocking signal to override opening the serving cell transceiving gap for searching outside of the serving cell;

means for generating frequency switch commands; and

means for suppressing the generation of frequency switches ~~switch commands when the frequency switch blocking signal is enabled during the scheduled search to override opening the serving cell transceiving gap for searching outside of the serving cell.~~

21. (Currently Amended) ~~Processor-readable media~~ A storage medium device encoded thereon with processor-executable instructions for causing a processor to perform the following steps:

indicating when a frequency switch is to occur;  
scheduling a search based at least in part on a duration ~~during~~ of a serving cell transceiving gap defined for searching outside of a serving cell and during a period of time without the frequency switch; ~~and~~  
generating a frequency switch blocking signal to override opening the serving cell transceiving gap for searching outside of the serving cell;  
generating frequency switch commands; and  
suppressing the generation of frequency switches ~~switch~~ commands when the frequency switch blocking signal is enabled ~~during the scheduled search to override opening the serving cell transceiving gap for searching outside of the serving cell.~~

#### *Reasons for Allowance*

The following is an examiner's statement of reasons for allowance:

Claim 2 has been cancelled.

**Claims 1 and 3-21 are allowed.**

Consider **claim 1**, the best prior art of record found during the examination of the present application, **Amerga et al** (hereinafter "Amerga"; US 2003/0231605) in view of **Bamburak et**

**al. (US 2004/0219915 A1; hereinafter Bamburak)**, fails to specifically disclose, teach, or suggest an apparatus, comprising: a search scheduler for scheduling a search based at least in part on a duration of a serving cell transceiving gap defined for searching outside of a serving cell and for generating a frequency switch blocking signal to override opening the serving cell transceiving gap for searching outside of the serving cell; a frequency controller for generating frequency switch commands, receiving the frequency switch blocking signal, and suppressing the generation of frequency switch commands when the frequency switch blocking signal is asserted; and a gap manager for indicating when a frequency switch is to occur, and wherein the search scheduler schedules the search during a period of time without the frequency switch as indicated by the gap manager.

**Claims 3-12** are allowable because it is dependent upon independent claim 1.

Consider **claim 13**, the best prior art of record found during the examination of the present application, **Amerga et al (hereinafter “Amerga”; US 2003/0231605)** in view of **Bamburak et al. (US 2004/0219915 A1; hereinafter Bamburak)**, fails to specifically disclose, teach, or suggest a first Integrated Circuit (IC), responsive to a frequency switch signal generated in a second IC, the second IC comprising: a search scheduler for scheduling a search based at least in part on a duration of a serving cell transceiving gap defined for searching outside of a serving cell and for generating a frequency switch blocking signal to override opening the serving cell transceiving gap for searching outside of the serving cell; a frequency controller for generating a frequency switch signal comprising frequency switch commands, receiving the

frequency switch blocking signal, and suppressing the generation of frequency switch commands when the frequency switch blocking signal is asserted; and a gap manager for indicating when a frequency switch is to occur, and wherein the search scheduler schedules the search during a period of time without the frequency switch as indicated by the gap manager, the first IC comprising: a frequency synthesizer to receive the frequency switch signal from the second IC and to generate an output signal, the frequency of the output signal changing from a first frequency to a second frequency in response to the frequency switch signal.

Consider **claim 14**, the best prior art of record found during the examination of the present application, **Amerga et al (hereinafter “Amerga”; US 2003/0231605)** in view of **Bamburak et al. (US 2004/0219915 A1; hereinafter Bamburak)**, fails to specifically disclose, teach, or suggest a wireless communication device, comprising: a processor for indicating when a frequency switch is to occur; scheduling a search based at least in part on a duration of a serving cell transceiving gap defined for searching outside of a serving cell and during a period of time without the frequency switch; generating a frequency switch blocking signal to override opening the serving cell transceiving gap for searching outside of the serving cell; generating frequency switch commands; and suppressing the generation of frequency switch commands when the frequency switch blocking signal is asserted.

**Claims 15-16** are allowable because it is dependent upon independent claim 14.

Consider **claim 17**, the best prior art of record found during the examination of the present application, **Amerga et al (hereinafter “Amerga”; US 2003/0231605)** in view of **Bamburak et al. (US 2004/0219915 A1; hereinafter Bamburak)**, fails to specifically disclose, teach, or suggest a method of searching in the presence of frequency gaps, comprising: indicating when a frequency switch is to occur; scheduling a search based at least in part on a duration of a serving cell transceiving gap defined for searching outside of a serving cell and during a period of time without the frequency switch; generating a frequency switch blocking signal to override opening the serving cell transceiving gap for searching outside of the serving cell; generating frequency switch commands; and suppressing the generation of frequency switch commands when the frequency switch blocking signal is enabled.

**Claims 18-19** are allowable because it is dependent upon independent claim 14.

Consider **claim 20**, the best prior art of record found during the examination of the present application, **Amerga et al (hereinafter “Amerga”; US 2003/0231605)** in view of **Bamburak et al. (US 2004/0219915 A1; hereinafter Bamburak)**, fails to specifically disclose, teach, or suggest an apparatus, comprising: means for indicating when a frequency switch is to occur; means for scheduling a search based at least in part on a duration of a serving cell transceiving gap defined for searching outside of a serving cell and during a period of time without the frequency switch; means for generating a frequency switch blocking signal to override opening the serving cell transceiving gap for searching outside of the serving cell;

means for generating frequency switch commands; and means for suppressing the generation of frequency switch commands when the frequency switch blocking signal is enabled.

Consider **claim 21**, the best prior art of record found during the examination of the present application, **Amerga et al (hereinafter “Amerga”; US 2003/0231605)** in view of **Bamburak et al. (US 2004/0219915 A1; hereinafter Bamburak)**, fails to specifically disclose, teach, or suggest a storage medium device encoded thereon with processor-executable instructions for causing a processor to perform the following steps: indicating when a frequency switch is to occur; scheduling a search based at least in part on a duration of a serving cell transceiving gap defined for searching outside of a serving cell and during a period of time without the frequency switch; generating a frequency switch blocking signal to override opening the serving cell transceiving gap for searching outside of the serving cell; generating frequency switch commands; and suppressing the generation of frequency switch commands when the frequency switch blocking signal is enabled.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BOBBAK SAFAIPOUR whose telephone number is (571)270-1092. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bobbak Safaipour/  
Examiner, Art Unit 2618

November 17, 2010

/Matthew D. Anderson/  
Supervisory Patent Examiner, Art Unit 2618